

1 Nancy Sher Cohen
ncohen@proskauer.com
2 Reynold L. Siemens
rsiemens@proskauer.com
3 PROSKAUER ROSE LLP
2049 Century Park East, 32nd Floor
4 Los Angeles, CA 90067-3206
Telephone: 310.557.2900
5 Facsimile: 310.557.2193

6 Attorneys for Third Party Defendant
Cede & Co., nominee of The Depository
7 Trust Company, a New York trust company

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10
11 PALMTREE ACQUISITION
CORPORATION, a Delaware corporation,

12 Plaintiff,

13 vs.

14 MICHAEL R. NEELY, et al.,

15 Defendants.
16
17

Case No. CV 08 3168 EMC

**STIPULATION TO EXTEND
TIME TO RESPOND TO
COMPLAINT [L.R. 6-1(b)]
ORDER**

Trial Date: None Set

Action Filed: July 1, 2008

1 THE KIRRBERG CORPORATION,
2 formerly known as MULTIMATIC
3 CORPORATION, a New Jersey
4 corporation; and STARK INVESTMENT
5 COMPANY, L.P., a California limited
6 partnership,

Third Party
Plaintiffs,

7 vs.

8 ESTATE OF HAROLD A. ELLIS, JR;
9 CEDE & CO., nominee of The Depository
10 Trust Company, a New York trust
11 company; JAMES R. PROUD, an
12 individual; DEAN BEANKS, an
13 individual; EMMETT R. DEMOSS JR., an
14 individual; JOHN E. HYJER, an
15 individual; PRUDENTIAL EQUITY
16 GROUP, LLC, formerly known as
17 PRUDENTIAL SECURITIES, INC., a
18 Delaware corporation; THE ANDERSON
19 MARITAL TRUST dated February 28,
20 1979, as amended and restated August 31,
21 1994; and THE ANDERSON TAX
22 DEFERRAL TRUST, dated February 28,
23 1979, as amended and restated August 31,
24 1994,

Third Party
Defendants.

25 IT IS HEREBY STIPULATED AND AGREED by and between the attorneys
26 for Third-Party Plaintiffs, The Kirrberg Corporation and Stark Investment
27 Company, L.P ("Third-Party Plaintiffs"), and for Third-Party Defendant, Cede &
28 Co. ("CEDE"), that CEDE's time to respond to the Third-Party Complaint filed by
Third-Party Plaintiffs shall be extended to and including March 18, 2010.

DATED:

DONGELL LAWRENCE FINNEY LLP

By: 

Thomas F. Vandenburg

Attorneys for Defendant and Third Party
Plaintiff THE KIRRBERG CORPORATION,
formerly known as MULTIMATIC
CORPORATION

1 DATED: 2/16/10

GONSALVES & KOZACHENKO

2
3 By: 

Selena P. Ontiveros

4 Attorneys for Defendant and Third Party
5 Plaintiff
6 STARK INVESTMENT COMPANY

7 DATED: 2/16/10

PROSKAUER ROSE LLP

8
9 By: 

Nancy Sher Cohen

10 Attorneys for Third Party Defendants
11 CEDE & CO., nominee of The Depository
12 Trust Company, a New York trust company

13 SO ORDERED:

14
15 Hon. Edward M. Chen
16 United States District Court

